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February 27, 2025

VIA ECF

The Honorable Jesse M. Furman
United States District Judge
40 Centre Street, Room 2202
New York, New York 10007

Application GRANTED. To facilitate resolution of the case, all pending deadlines are hereby STAYED pending mediation. The parties shall file a letter advising the Court on the progress of mediation no later than **April 25, 2025**. The Clerk of Court is directed to terminate ECF No. 49.

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SO ORDERED.

February 27, 2025

Re: Abby R. Simpson and G. Todd Myland v. Pacific Indemnity Company, No. 1:23-cv-01436

Dear Judge Furman:

Defendant Pacific Indemnity Company and Plaintiffs Abby R. Simpson and G. Todd Mydland respectfully submit this joint letter-motion seeking a stay of all remaining case deadlines to facilitate the mediation the parties are scheduling for April 22, 2025. The parties propose to file a joint letter by April 25, 2025, updating the Court on the progress of mediation and stating whether they are requesting a further stay to facilitate the mediation process.

On November 21, 2024, following a telephone conference with the parties, the Court extended (i) the fact discovery deadline provided in the Case Management Plan and Scheduling Order (“CMO”) (Dkt. 36) to December 20, 2024, for the limited purpose of addressing outstanding fact discovery demands; (ii) the deadline for expert discovery to March 21, 2025; and (iii) by virtue of these extensions, all other follow-on case deadlines in the CMO. (Dkt. 47.) Following the conference, the parties met and conferred to resolve outstanding discovery disputes and timely completed fact discovery. On January 3, 2025, the parties filed a letter notifying the Court that Plaintiffs had made a settlement demand and that counsel was discussing the possibility and timing of private mediation. (Dkt. 48.) On February 7, 2025, pursuant to the parties’ agreement, the parties exchanged opening expert witness disclosures, which Plaintiffs supplemented on February 26, 2025. And on February 19, Pacific served requests for admission and contention interrogatories, pursuant to CMO § 9(c).

The parties have now identified an agreed private mediator and are scheduling mediation for April 22, 2025. To facilitate that process and avoid expending additional resources litigating (including the depositions of six expert witnesses) while the mediation process is ongoing, the parties respectfully request that the Court stay all CMO deadlines until April 25, 2025, and require the parties to submit a joint status letter by the same date.

Respectfully submitted,

/s/ Johnathan Lerner

Johnathan Lerner
Counsel for Plaintiffs

/s/ Jonathan Rosenberg

Jonathan Rosenberg
Counsel for Pacific